

103D CONGRESS
1ST SESSION

H. R. 2

AMENDMENT

In the Senate of the United States,

March 17 (legislative day, March 3), 1993.

Resolved, That the bill from the House of Representatives (H.R. 2) entitled “An Act to establish national voter registration procedures for Federal elections, and for other purposes”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “National Voter Registra-*
3 *tion Act of 1993”.*

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) *FINDINGS.*—*The Congress finds that—*

3 (1) *the right of citizens of the United States to*
4 *vote is a fundamental right;*

5 (2) *it is the duty of the Federal, State, and local*
6 *governments to promote the exercise of that right; and*

7 (3) *discriminatory and unfair registration laws*
8 *and procedures can have a direct and damaging effect*
9 *on voter participation in elections for Federal office*
10 *and disproportionately harm voter participation by*
11 *various groups, including racial minorities.*

12 (b) *PURPOSES.*—*The purposes of this Act are—*

13 (1) *to establish procedures that will increase the*
14 *number of eligible citizens who register to vote in elec-*
15 *tions for Federal office;*

16 (2) *to make it possible for Federal, State, and*
17 *local governments to implement this Act in a manner*
18 *that enhances the participation of eligible citizens as*
19 *voters in elections for Federal office;*

20 (3) *to protect the integrity of the electoral proc-*
21 *ess; and*

22 (4) *to ensure that accurate and current voter reg-*
23 *istration rolls are maintained.*

24 **SEC. 3. DEFINITIONS.**

25 *As used in this Act—*

1 (1) the term “election” has the meaning stated in
2 section 301(1) of the Federal Election Campaign Act
3 of 1971 (2 U.S.C. 431(1));

4 (2) the term “Federal office” has the meaning
5 stated in section 301(3) of the Federal Election Cam-
6 paign Act of 1971 (2 U.S.C. 431(3));

7 (3) the term “motor vehicle driver’s license” in-
8 cludes any personal identification document issued by
9 a State motor vehicle authority;

10 (4) the term “State” means a State of the United
11 States and the District of Columbia; and

12 (5) the term “voter registration agency” means
13 an office designated under section 7(a)(1) to perform
14 voter registration activities.

15 **SEC. 4. NATIONAL PROCEDURES FOR VOTER REGISTRA-**
16 **TION FOR ELECTIONS FOR FEDERAL OFFICE.**

17 (a) *IN GENERAL.*—Except as provided in subsection
18 (b), notwithstanding any other Federal or State law, in ad-
19 dition to any other method of voter registration provided
20 for under State law, each State shall establish procedures
21 to register to vote in elections for Federal office—

22 (1) by application made simultaneously with an
23 application for a motor vehicle driver’s license pursu-
24 ant to section 5;

1 (2) by mail application pursuant to section 6;
2 and

3 (3) by application in person—

4 (A) at the appropriate registration site des-
5 ignated with respect to the residence of the appli-
6 cant in accordance with State law; and

7 (B) at a Federal, State, or nongovernmental
8 office designated under section 7.

9 (b) *NONAPPLICABILITY TO CERTAIN STATES.*—This
10 Act does not apply to a State described in either or both
11 of the following paragraphs:

12 (1) A State in which, under law that is in effect
13 continuously on and after March 11, 1993, there is no
14 voter registration requirement for any voter in the
15 State with respect to an election for Federal office.

16 (2) A State in which, under law that is in effect
17 continuously on and after March 11, 1993, or that
18 was enacted on or prior to March 11, 1993, and by
19 its terms is to come into effect upon the enactment of
20 this Act, so long as that law remains in effect, all vot-
21 ers in the State may register to vote at the polling
22 place at the time of voting in a general election for
23 Federal office in a year in which an election for the
24 office of President is held.”.

1 **SEC. 5. SIMULTANEOUS APPLICATION FOR VOTER REG-**
2 **ISTRATION AND APPLICATION FOR MOTOR**
3 **VEHICLE DRIVER'S LICENSE.**

4 (a) *IN GENERAL.*—(1) *Each State motor vehicle driv-*
5 *er's license application (including any renewal applica-*
6 *tion) submitted to the appropriate State motor vehicle au-*
7 *thority under State law shall serve as an application for*
8 *voter registration with respect to elections for Federal office*
9 *unless the applicant fails to sign the voter registration ap-*
10 *plication.*

11 (2) *An application for voter registration submitted*
12 *under paragraph (1) shall be considered as updating any*
13 *previous voter registration by the applicant.*

14 (b) *LIMITATION ON USE OF INFORMATION.*—*No infor-*
15 *mation relating to the failure of an applicant for a State*
16 *motor vehicle driver's license to sign a voter registration*
17 *application may be used for any purpose other than voter*
18 *registration.*

19 (c) *FORMS AND PROCEDURES.*—(1) *Each State shall*
20 *include a voter registration application form for elections*
21 *for Federal office as part of an application for a State*
22 *motor vehicle driver's license.*

23 (2) *The voter registration application portion of an*
24 *application for a State motor vehicle driver's license—*

25 (A) *may not require any information that dupli-*
26 *cates information required in the driver's license por-*

tion of the form (other than a second signature or other information necessary under subparagraph (C));

(B) may require only the minimum amount of information necessary to—

(i) prevent duplicate voter registrations;

and

(ii) enable State election officials to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;

(C) shall include a statement that—

(i) states each eligibility requirement (including citizenship);

(ii) contains an attestation that the applicant meets each such requirement; and

(iii) requires the signature of the applicant, under penalty of perjury;

(D) shall include, in print that is identical to that used in the attestation portion of the application—

(i) the information required in section 8(a)(5) (A) and (B);

(ii) a statement that, if an applicant declines to register to vote, the fact that the applicant has declined to register will remain con-

1 *fidential and will be used only for voter registra-*
2 *tion purposes; and*

3 *(iii) a statement that if an applicant does*
4 *register to vote, the office at which the applicant*
5 *submits a voter registration application will re-*
6 *main confidential and will be used only for voter*
7 *registration purposes; and*

8 *(E) shall be made available (as submitted by the*
9 *applicant, or in machine readable or other format) to*
10 *the appropriate State election official as provided by*
11 *State law.*

12 *(d) CHANGE OF ADDRESS.—Any change of address*
13 *form submitted in accordance with State law for purposes*
14 *of a State motor vehicle driver's license shall serve as notifi-*
15 *cation of change of address for voter registration with re-*
16 *spect to elections for Federal office for the registrant in-*
17 *volved unless the registrant states on the form that the*
18 *change of address is not for voter registration purposes.*

19 *(e) TRANSMITTAL DEADLINE.—(1) Subject to para-*
20 *graph (2), a completed voter registration portion of an ap-*
21 *plication for a State motor vehicle driver's license accepted*
22 *at a State motor vehicle authority shall be transmitted to*
23 *the appropriate State election official not later than 10*
24 *days after the date of acceptance.*

1 (2) *If a registration application is accepted within 5*
2 *days before the last day for registration to vote in an elec-*
3 *tion, the application shall be transmitted to the appropriate*
4 *State election official not later than 5 days after the date*
5 *of acceptance.*

6 **SEC. 6. MAIL REGISTRATION.**

7 (a) *FORM.—(1) Each State shall accept and use the*
8 *mail voter registration application form prescribed by the*
9 *Federal Election Commission pursuant to section 9(a)(2)*
10 *for the registration of voters in elections for Federal office.*

11 (2) *In addition to accepting and using the form de-*
12 *scribed in paragraph (1), a State may develop and use a*
13 *mail voter registration form that meets all of the criteria*
14 *stated in section 9(b) for the registration of voters in elec-*
15 *tions for Federal office.*

16 (3) *A form described in paragraph (1) or (2) shall be*
17 *accepted and used for notification of a registrant's change*
18 *of address.*

19 (b) *AVAILABILITY OF FORMS.—The chief State election*
20 *official of a State shall make the forms described in sub-*
21 *section (a) available for distribution through governmental*
22 *and private entities, with particular emphasis on making*
23 *them available for organized voter registration programs.*

1 (c) *FIRST-TIME VOTERS.*—(1) *Subject to paragraph*
2 *(2), a State may by law require a person to vote in person*
3 *if—*

4 (A) *the person was registered to vote in a juris-*
5 *isdiction by mail; and*

6 (B) *the person has not previously voted in that*
7 *jurisdiction.*

8 (2) *Paragraph (1) does not apply in the case of a per-*
9 *son—*

10 (A) *who is entitled to vote by absentee ballot*
11 *under the Uniformed and Overseas Citizens Absentee*
12 *Voting Act (42 U.S.C. 1973ff–1 et seq.);*

13 (B) *who is provided the right to vote otherwise*
14 *than in person under section 3(b)(2)(B)(ii) of the Vot-*
15 *ing Accessibility for the Elderly and Handicapped*
16 *Act (42 U.S.C. 1973ee–1(b)(2)(B)(ii)); or*

17 (C) *who is entitled to vote otherwise than in per-*
18 *son under any other Federal law.*

19 (d) *UNDELIVERED NOTICES.*—*If a notice described in*
20 *section 8(a)(2) is sent by nonforwardable mail and is re-*
21 *turned undelivered, the name of the applicant may be re-*
22 *moved from the official list of eligible voters in accordance*
23 *with section 8(d).*

1 **SEC. 7. VOTER REGISTRATION AGENCIES.**

2 (a) *DESIGNATION.*—(1) *Each State shall designate*
3 *agencies for the registration of voters in elections for Federal*
4 *office.*

5 (2) *Each State may designate as voter registration*
6 *agencies—*

7 (A) *all offices in the State that provide public*
8 *assistance, unemployment compensation, or related*
9 *services; and*

10 (B) *all offices in the State that provide State-*
11 *funded programs primarily engaged in providing*
12 *services to persons with disabilities.*

13 (3)(A) *In addition to voter registration agencies des-*
14 *ignated under paragraph (2), each State shall designate*
15 *other offices within the State as voter registration agencies.*

16 (B) *Voter registration agencies designated under sub-*
17 *paragraph (A) may include—*

18 (i) *State or local government offices such as pub-*
19 *lic libraries, public schools, offices of city and county*
20 *clerks (including marriage license bureaus), fishing*
21 *and hunting license bureaus, government revenue of-*
22 *fices, and offices not described in paragraph (2)(B)*
23 *that provide services to persons with disabilities; and*

24 (ii) *Federal and nongovernmental offices, with*
25 *the agreement of such offices.*

1 (4)(A) *At each voter registration agency, the following*
2 *services shall be made available:*

3 (i) *Distribution of mail voter registration appli-*
4 *cation forms in accordance with paragraph (6).*

5 (ii) *Assistance to applicants in completing voter*
6 *registration application forms, unless the applicant*
7 *refuses such assistance.*

8 (iii) *Acceptance of completed voter registration*
9 *application forms for transmittal to the appropriate*
10 *State election official.*

11 (B) *If a voter registration agency designated under*
12 *paragraph (2)(B) provides services to a person with a dis-*
13 *ability at the person's home, the agency shall provide the*
14 *services described in subparagraph (A) at the person's home.*

15 (5) *A person who provides service described in para-*
16 *graph (4) shall not—*

17 (A) *seek to influence an applicant's political*
18 *preference or party registration;*

19 (B) *display any such political preference or*
20 *party allegiance; or*

21 (C) *make any statement to an applicant or take*
22 *any action the purpose or effect of which is to dis-*
23 *courage the applicant from registering to vote.*

1 (6) *A voter registration agency that is an office that*
2 *provides service or assistance in addition to conducting*
3 *voter registration shall—*

4 (A) *distribute with each application for such*
5 *service or assistance, and with each recertification, re-*
6 *newal, or change of address form relating to such*
7 *service or assistance—*

8 (i) *the mail voter registration application*
9 *form described in section 9(a)(2), including a*
10 *statement that—*

11 (I) *specifies each eligibility require-*
12 *ment (including citizenship);*

13 (II) *contains an attestation that the*
14 *applicant meets each such requirement; and*

15 (III) *requires the signature of the ap-*
16 *plicant, under penalty of perjury; or*

17 (ii) *the office's own form if it is equivalent*
18 *to the form described in section 9(a)(2),*
19 *unless the applicant, in writing, declines to register*
20 *to vote;*

21 (B) *to the greatest extent practicable, incorporate*
22 *in application forms and other forms used at those of-*
23 *fices for purposes other than voter registration a*
24 *means by which a person who completes the form may*

1 *decline, in writing, to register to vote in elections for*
2 *Federal office; and*

3 *(C) provide to each applicant who does not de-*
4 *cline to register to vote the same degree of assistance*
5 *with regard to the completion of the registration ap-*
6 *plication form as is provided by the office with regard*
7 *to the completion of its own forms, unless the appli-*
8 *cant refuses such assistance.*

9 *(7) No information relating to a declination to register*
10 *to vote in connection with an application made at an office*
11 *described in paragraph (6) may be used for any purpose*
12 *other than voter registration.*

13 *(b) FEDERAL GOVERNMENT AND PRIVATE SECTOR CO-*
14 *OPERATION.—All departments, agencies, and other entities*
15 *of the executive branch of the Federal Government shall, to*
16 *the greatest extent practicable, cooperate with the States in*
17 *carrying out subsection (a), and all nongovernmental enti-*
18 *ties are encouraged to do so.*

19 *(c) TRANSMITTAL DEADLINE.—(1) Subject to para-*
20 *graph (2), a completed registration application accepted at*
21 *a voter registration agency shall be transmitted to the ap-*
22 *propriate State election official not later than 10 days after*
23 *the date of acceptance.*

24 *(2) If a registration application is accepted within 5*
25 *days before the last day for registration to vote in an elec-*

tion, the application shall be transmitted to the appropriate State election official not later than 5 days after the date of acceptance.

(d) *ARMED FORCES RECRUITMENT OFFICES.*—(1) Each State and the Secretary of Defense shall jointly develop and implement procedures for persons to apply to register to vote at recruitment offices of the Armed Forces of the United States.

(2) A recruitment office of the Armed Forces of the United States shall be considered to be a voter registration agency designated under subsection (a)(2) for all purposes of this Act.

SEC. 8. REQUIREMENTS WITH RESPECT TO ADMINISTRATION OF VOTER REGISTRATION.

(a) *IN GENERAL.*—In the administration of voter registration for elections for Federal office, each State shall—

(1) ensure that any eligible applicant is registered to vote in an election—

(A) in the case of registration with a motor vehicle application under section 5, if the valid voter registration form of the applicant is submitted to the appropriate State motor vehicle authority not later than the lesser of 30 days, or the period provided by State law, before the date of the election;

1 (B) in the case of registration by mail
2 under section 6, if the valid voter registration
3 form of the applicant is postmarked not later
4 than the lesser of 30 days, or the period provided
5 by State law, before the date of the election;

6 (C) in the case of registration at a voter
7 registration agency, if the valid voter registra-
8 tion form of the applicant is accepted at the
9 voter registration agency not later than the lesser
10 of 30 days, or the period provided by State law,
11 before the date of the election; and

12 (D) in any other case, if the valid voter reg-
13 istration form of the applicant is received by the
14 appropriate State election official not later than
15 the lesser of 30 days, or the period provided by
16 State law, before the date of the election;

17 (2) require the appropriate State election official
18 to send notice to each applicant of the disposition of
19 the application;

20 (3) provide that the name of a registrant may
21 not be removed from the official list of eligible voters
22 except—

23 (A) at the request of the registrant;

24 (B) as provided by State law, by reason of
25 criminal conviction or mental incapacity; or

1 (C) as provided under paragraph (4);

2 (4) conduct a general program that makes a rea-
3 sonable effort to remove the names of ineligible voters
4 from the official lists of eligible voters by reason of—

5 (A) the death of the registrant; or

6 (B) a change in the residence of the reg-
7 istrant, in accordance with subsections (b), (c),
8 and (d);

9 (5) inform applicants under sections 5, 6, and 7
10 of—

11 (A) voter eligibility requirements; and

12 (B) penalties provided by law for submis-
13 sion of a false voter registration application; and

14 (6) ensure that the identity of the voter registra-
15 tion agency through which any particular voter is
16 registered is not disclosed to the public.

17 (b) *CONFIRMATION OF VOTER REGISTRATION.*—Any
18 State program or activity to protect the integrity of the elec-
19 toral process by ensuring the maintenance of an accurate
20 and current voter registration roll for elections for Federal
21 office—

22 (1) shall be uniform, nondiscriminatory, and in
23 compliance with the Voting Rights Act of 1965 (42
24 U.S.C. 1973 et seq.); and

1 (2) shall not result in the removal of the name
2 of any person from the official list of voters registered
3 to vote in an election for Federal office by reason of
4 the person's failure to vote.

5 (c) *VOTER REMOVAL PROGRAMS.*—(1) A State may
6 meet the requirement of subsection (a)(4) by establishing a
7 program under which—

8 (A) change-of-address information supplied by
9 the Postal Service through its licensees is used to
10 identify registrants whose addresses may have
11 changed; and

12 (B) if it appears from information provided by
13 the Postal Service that—

14 (i) a registrant has moved to a different res-
15 idence address in the same registrar's jurisdic-
16 tion in which the registrant is currently reg-
17 istered, the registrar changes the registration
18 records to show the new address and sends the
19 registrant a notice of the change by forwardable
20 mail and a postage prepaid pre-addressed return
21 form by which the registrant may verify or cor-
22 rect the address information; or

23 (ii) the registrant has moved to a different
24 residence address not in the same registrar's ju-
25 risdiction, the registrar uses the notice procedure

1 *described in subsection (d)(2) to confirm the*
2 *change of address.*

3 (2)(A) *A State shall complete, not later than 90 days*
4 *prior to the date of a primary or general election for Fed-*
5 *eral office, any program the purpose of which is to system-*
6 *atically remove the names of ineligible voters from the*
7 *official lists of eligible voters.*

8 (B) *Subparagraph (A) shall not be construed to*
9 *preclude—*

10 (i) *the removal of names from official lists of vot-*
11 *ers on a basis described in paragraph (3) (A) or (B)*
12 *or (4)(A) of subsection (a); or*

13 (ii) *correction of registration records pursuant to*
14 *this Act.*

15 (d) *REMOVAL OF NAMES FROM VOTING ROLLS.—(1)*
16 *A State shall not remove the name of a registrant from the*
17 *official list of eligible voters in elections for Federal office*
18 *on the ground that the registrant has changed residence un-*
19 *less the registrant—*

20 (A) *confirms in writing that the registrant has*
21 *changed residence to a place outside the registrar's ju-*
22 *risdiction in which the registrant is registered; or*

23 (B) (i) *has failed to respond to a notice described*
24 *in paragraph (2); and*

1 (ii) has not voted or appeared to vote (and, if
2 necessary, correct the registrar's record of the reg-
3 istrant's address) in an election during the period be-
4 ginning on the date of the notice and ending on the
5 day after the date of the second general election for
6 Federal office that occurs after the date of the notice.

7 (2) A notice is described in this paragraph if it is a
8 postage prepaid and pre-addressed return card, sent by
9 forwardable mail, on which the registrant may state his or
10 her current address, together with a notice to the following
11 effect:

12 (A) If the registrant did not change his or her
13 residence, or changed residence but remained in the
14 registrar's jurisdiction, the registrant should return
15 the card not later than the time provided for mail
16 registration under subsection (a)(1)(B). If the card is
17 not returned, affirmation or confirmation of the reg-
18 istrant's address may be required before the registrant
19 is permitted to vote in a Federal election during the
20 period beginning on the date of the notice and ending
21 on the day after the date of the second general election
22 for Federal office that occurs after the date of the no-
23 tice, and if the registrant does not vote in an election
24 during that period the registrant's name will be re-
25 moved from the list of eligible voters.

1 (B) If the registrant has changed residence to a
2 place outside the registrar's jurisdiction in which the
3 registrant is registered, information concerning how
4 the registrant can continue to be eligible to vote.

5 (3) A voting registrar shall correct an official list of
6 eligible voters in elections for Federal office in accordance
7 with change of residence information obtained in conform-
8 ance with this subsection.

9 (e) *PROCEDURE FOR VOTING FOLLOWING FAILURE TO*
10 *RETURN CARD.*—(1) A registrant who has moved from an
11 address in the area covered by a polling place to an address
12 in the same area shall, notwithstanding failure to notify
13 the registrar of the change of address prior to the date of
14 an election, be permitted to vote at that polling place upon
15 oral or written affirmation by the registrant of the change
16 of address before an election official at that polling place.

17 (2)(A) A registrant who has moved from an address
18 in the area covered by one polling place to an address in
19 an area covered by a second polling place within the same
20 registrar's jurisdiction and the same congressional district
21 and who has failed to notify the registrar of the change of
22 address prior to the date of an election, at the option of
23 the registrant—

24 (i) shall be permitted to correct the voting
25 records and vote at the registrant's former polling

1 *place, upon oral or written affirmation by the reg-*
2 *istrant of the new address before an election official*
3 *at that polling place; or*

4 *(ii)(I) shall be permitted to correct the voting*
5 *records and vote at a central location within the same*
6 *registrar's jurisdiction designated by the registrar*
7 *where a list of eligible voters is maintained, upon*
8 *written affirmation by the registrant of the new ad-*
9 *dress on a standard form provided by the registrar at*
10 *the central location; or*

11 *(II) shall be permitted to correct the voting*
12 *records for purposes of voting in future elections at*
13 *the appropriate polling place for the current address*
14 *and, if permitted by State law, shall be permitted to*
15 *vote in the present election, upon confirmation by the*
16 *registrant of the new address by such means as are*
17 *required by law.*

18 *(B) If State law permits the registrant to vote in the*
19 *current election upon oral or written affirmation by the reg-*
20 *istrant of the new address at a polling place described in*
21 *subparagraph (A)(ii)(II), voting at the former polling place*
22 *as described in subparagraph (A)(i) and at a central loca-*
23 *tion as described in subparagraph (A)(ii)(I) need not be*
24 *provided as alternative options.*

1 (3) *If the registration records indicate that a reg-*
2 *istrant has moved from an address in the area covered by*
3 *a polling place, the registrant shall, upon oral or written*
4 *affirmation by the registrant before an election official at*
5 *that polling place that the registrant continues to reside at*
6 *the address previously made known to the registrar, be per-*
7 *mitted to vote at that polling place.*

8 (f) *CHANGE OF VOTING ADDRESS WITHIN A JURISDIC-*
9 *TION.—In the case of a change of address, for voting pur-*
10 *poses, of a registrant to another address within the same*
11 *registrar's jurisdiction, the registrar shall correct the voting*
12 *registration list accordingly, and the registrant's name may*
13 *not be removed from the official list of eligible voters by*
14 *reason of such a change of address except as provided in*
15 *subsection (d).*

16 (g) *CONVICTION IN FEDERAL COURT.—(1) On the con-*
17 *viction of a person of a felony in a district court of the*
18 *United States, the United States attorney shall give written*
19 *notice of the conviction to the chief State election official*
20 *designated under section 10 of the State of the person's resi-*
21 *dence.*

22 (2) *A notice given pursuant to paragraph (1) shall*
23 *include—*

24 (A) *the name of the offender;*

25 (B) *the offender's age and residence address;*

1 (C) the date of entry of the judgment;

2 (D) a description of the offenses of which the of-
3 fender was convicted; and

4 (E) the sentence imposed by the court.

5 (3) On request of the chief State election official of a
6 State or other State official with responsibility for deter-
7 mining the effect that a conviction may have on an offend-
8 er's qualification to vote, the United States attorney shall
9 provide such additional information as the United States
10 attorney may have concerning the offender and the offense
11 of which the offender was convicted.

12 (4) If a conviction of which notice was given pursuant
13 to paragraph (1) is overturned, the United States attorney
14 shall give the official to whom the notice was given written
15 notice of the vacation of the judgment.

16 (5) The chief State election official shall notify the
17 voter registration officials of the local jurisdiction in which
18 an offender resides of the information received under this
19 subsection.

20 (h) *REDUCED POSTAL RATES.*—(1) Subchapter II of
21 chapter 36 of title 39, United States Code, is amended by
22 adding at the end the following:

23 **“§ 3629. Reduced rates for voter registration purposes**

24 “The Postal Service shall make available to a State
25 or local voting registration official the rate for any class

1 *of mail that is available to a qualified nonprofit organiza-*
 2 *tion under section 3626 for the purpose of making a mail-*
 3 *ing that the official certifies is required or authorized by*
 4 *the National Voter Registration Act of 1993.”.*

5 *(2) The first sentence of section 2401(c) of title 39,*
 6 *United States Code, is amended by striking out “and*
 7 *3626(a)–(h) and (j)–(k) of this title,” and inserting in lieu*
 8 *thereof “3626(a)–(h), 3626(j)–(k), and 3629 of this title”.*

9 *(3) Section 3627 of title 39, United States Code, is*
 10 *amended by striking out “or 3626 of this title,” and insert-*
 11 *ing in lieu thereof “3626, or 3629 of this title”.*

12 *(4) The table of sections for chapter 36 of title 39,*
 13 *United States Code, is amended by inserting after the item*
 14 *relating to section 3628 the following new item:*

“3629. Reduced rates for voter registration purposes.”.

15 *(i) PUBLIC DISCLOSURE OF VOTER REGISTRATION AC-*
 16 *TIVITIES.—(1) Each State shall maintain for at least 2*
 17 *years and shall make available for public inspection and,*
 18 *where available, photocopying at a reasonable cost, all*
 19 *records concerning the implementation of programs and ac-*
 20 *tivities conducted for the purpose of ensuring the accuracy*
 21 *and currency of official lists of eligible voters, except to the*
 22 *extent that such records relate to a declination to register*
 23 *to vote or to the identity of a voter registration agency*
 24 *through which any particular voter is registered.*

1 (2) *The records maintained pursuant to paragraph (1)*
2 *shall include lists of the names and addresses of all persons*
3 *to whom notices described in subsection (d)(2) are sent, and*
4 *information concerning whether or not each such person has*
5 *responded to the notice as of the date that inspection of the*
6 *records is made.*

7 (j) *DEFINITION.—For the purposes of this section, the*
8 *term “registrar’s jurisdiction” means—*

9 (1) *an incorporated city, town, borough, or other*
10 *form of municipality;*

11 (2) *if voter registration is maintained by a*
12 *county, parish, or other unit of government that gov-*
13 *erns a larger geographic area than a municipality,*
14 *the geographic area governed by that unit of govern-*
15 *ment; or*

16 (3) *if voter registration is maintained on a con-*
17 *solidated basis for more than one municipality or*
18 *other unit of government by an office that performs*
19 *all of the functions of a voting registrar, the geo-*
20 *graphic area of the consolidated municipalities or*
21 *other geographic units.*

22 (k) *CHANGE OF ADDRESS OF REGISTRANT.—Any pro-*
23 *vision of this Act to the contrary notwithstanding, if State*
24 *law permits the registrant to vote in the current election*
25 *upon oral or written affirmation by the registrant of the*

1 *new address, at the polling place described in section*
 2 *8(e)(2)(A)(i), or at a central location as described in section*
 3 *8(e)(2)(A)(ii)(I), or at a polling place described in section*
 4 *8(e)(2)(A)(ii)(II), voting at the other locations described in*
 5 *section 8(e)(2)(A) need not be provided as options.*

6 **SEC. 9. FEDERAL COORDINATION AND REGULATIONS.**

7 *(a) IN GENERAL.—The Federal Election Commis-*
 8 *sion—*

9 *(1) in consultation with the chief election officers*
 10 *of the States, shall prescribe such regulations as are*
 11 *necessary to carry out paragraphs (2) and (3);*

12 *(2) in consultation with the chief election officers*
 13 *of the States, shall develop a mail voter registration*
 14 *application form for elections for Federal office;*

15 *(3) not later than June 30 of each odd-numbered*
 16 *year, shall submit to the Congress a report assessing*
 17 *the impact of this Act on the administration of elec-*
 18 *tions for Federal office during the preceding 2-year*
 19 *period and including recommendations for improve-*
 20 *ments in Federal and State procedures, forms, and*
 21 *other matters affected by this Act; and*

22 *(4) shall provide information to the States with*
 23 *respect to the responsibilities of the States under this*
 24 *Act.*

1 (b) *CONTENTS OF MAIL VOTER REGISTRATION*
2 *FORM.*—*The mail voter registration form developed under*
3 *subsection (a)(2)—*

4 (1) *may require only such identifying informa-*
5 *tion (including the signature of the applicant) and*
6 *other information (including data relating to pre-*
7 *vious registration by the applicant), as is necessary*
8 *to enable the appropriate State election official to as-*
9 *sess the eligibility of the applicant and to administer*
10 *voter registration and other parts of the election proc-*
11 *ess;*

12 (2) *shall include a statement that—*

13 (A) *specifies each eligibility requirement*
14 *(including citizenship);*

15 (B) *contains an attestation that the appli-*
16 *cant meets each such requirement; and*

17 (C) *requires the signature of the applicant,*
18 *under penalty of perjury;*

19 (3) *may not include any requirement for notari-*
20 *zation or other formal authentication; and*

21 (4) *shall include, in print that is identical to*
22 *that used in the attestation portion of the applica-*
23 *tion—*

24 (i) *the information required in section*
25 *8(a)(5) (A) and (B);*

1 (ii) a statement that, if an applicant de-
 2 clines to register to vote, the fact that the appli-
 3 cant has declined to register will remain con-
 4 fidential and will be used only for voter registra-
 5 tion purposes; and

6 (iii) a statement that if an applicant does
 7 register to vote, the office at which the applicant
 8 submits a voter registration application will re-
 9 main confidential and will be used only for voter
 10 registration purposes; and

11 **SEC. 10. DESIGNATION OF CHIEF STATE ELECTION OFFI-**
 12 **CIAL.**

13 Each State shall designate a State officer or employee
 14 as the chief State election official to be responsible for co-
 15 ordination of State responsibilities under this Act.

16 **SEC. 11. CIVIL ENFORCEMENT AND PRIVATE RIGHT OF AC-**
 17 **TION.**

18 (a) ATTORNEY GENERAL.—The Attorney General may
 19 bring a civil action in an appropriate district court for
 20 such declaratory or injunctive relief as is necessary to carry
 21 out this Act.

22 (b) PRIVATE RIGHT OF ACTION.—(1) A person who
 23 is aggrieved by a violation of this Act may provide written
 24 notice of the violation to the chief election official of the
 25 State involved.

1 (2) *If the violation is not corrected within 90 days*
2 *after receipt of a notice under paragraph (1), or within 20*
3 *days after receipt of the notice if the violation occurred*
4 *within 120 days before the date of an election for Federal*
5 *office, the aggrieved person may bring a civil action in an*
6 *appropriate district court for declaratory or injunctive re-*
7 *lief with respect to the violation.*

8 (3) *If the violation occurred within 30 days before the*
9 *date of an election for Federal office, the aggrieved person*
10 *need not provide notice to the chief election official of the*
11 *State under paragraph (1) before bringing a civil action*
12 *under paragraph (2).*

13 (c) *ATTORNEY'S FEES.—In a civil action under this*
14 *section, the court may allow the prevailing party (other*
15 *than the United States) reasonable attorney fees, including*
16 *litigation expenses, and costs.*

17 (d) *RELATION TO OTHER LAWS.—(1) The rights and*
18 *remedies established by this section are in addition to all*
19 *other rights and remedies provided by law, and neither the*
20 *rights and remedies established by this section nor any other*
21 *provision of this Act shall supersede, restrict, or limit the*
22 *application of the Voting Rights Act of 1965 (42 U.S.C.*
23 *1973 et seq.).*

1 (2) *Nothing in this Act authorizes or requires conduct*
2 *that is prohibited by the Voting Rights Act of 1965 (42*
3 *U.S.C. 1973 et seq.).*

4 ***SEC. 12. CRIMINAL PENALTIES.***

5 *A person, including an election official, who in any*
6 *election for Federal office—*

7 (1) *knowingly and willfully intimidates, threat-*
8 *ens, or coerces, or attempts to intimidate, threaten, or*
9 *coerce, any person for—*

10 (A) *registering to vote, or voting, or at-*
11 *tempting to register or vote;*

12 (B) *urging or aiding any person to register*
13 *to vote, to vote, or to attempt to register or vote;*
14 *or*

15 (C) *exercising any right under this Act; or*

16 (2) *knowingly and willfully deprives, defrauds,*
17 *or attempts to deprive or defraud the residents of a*
18 *State of a fair and impartially conducted election*
19 *process, by—*

20 (A) *the procurement or submission of voter*
21 *registration applications that are known by the*
22 *person to be materially false, fictitious, or fraud-*
23 *ulent under the laws of the State in which the*
24 *election is held; or*

1 (B) the procurement, casting, or tabulation
2 of ballots that are known by the person to be ma-
3 terially false, fictitious, or fraudulent under the
4 laws of the State in which the election is held,
5 shall be fined in accordance with title 18, United States
6 Code (which fines shall be paid into the general fund of
7 the Treasury, miscellaneous receipts (pursuant to section
8 3302 of title 31, United States Code), notwithstanding any
9 other law), or imprisoned not more than 5 years, or both.

10 **SEC. 13. RULE OF CONSTRUCTION.**

11 Nothing in this Act shall be construed to preclude a
12 State from requiring presentation of documentary evidence
13 of the citizenship of an applicant for voter registration.

14 **SEC. 14. EFFECTIVE DATE.**

15 This Act shall take effect—

16 (1) with respect to a State that on the date of
17 enactment of this Act has a provision in the constitu-
18 tion of the State that would preclude compliance with
19 this Act unless the State maintained separate Federal
20 and State official lists of eligible voters, on the later
21 of—

22 (A) January 1, 1996; or

23 (B) the date that is 120 days after the date
24 by which, under the constitution of the State as
25 in effect on the date of enactment of this Act, it

1 *would be legally possible to adopt and place into*
2 *effect any amendments to the constitution of the*
3 *State that are necessary to permit such compli-*
4 *ance with this Act without requiring a special*
5 *election; and*

6 *(2) with respect to any State not described in*
7 *paragraph (1), on January 1, 1995.*

Attest:

Secretary.

HR 2 EAS—2

HR 2 EAS—3

HR 2 EAS—4

HR 2 EAS—5

HR 2 EAS—6

HR 2 EAS—7

HR 2 EAS—8

HR 2 EAS—9

HR 2 EAS—10

HR 2 EAS—11

HR 2 EAS—12

HR 2 EAS—13

HR 2 EAS—14

HR 2 EAS—15